

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Lisa R. Baldwin
Marlon E. Youngblood

Debtor(s)

BK. NO. 15-20855 GLT

MIDFIRST BANK, its successors and/or assigns
Movant

CHAPTER 13

v.

Lisa R. Baldwin
Marlon E. Youngblood

Respondent

and

Ronda J. Winnecour, Trustee

Additional Respondent

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

/s/ Brian C. Nicholas, Esquire

Brian C. Nicholas, Esquire

bnicholas@kmlawgroup.com

Attorney I.D. No. 317240

KML Law Group, P.C.

701 Market Street, Suite 5000

Philadelphia, PA 19106

Phone: 412-430-3594

Attorney for Movant/Applicant

Date: October 12, 2020

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Lisa R. Baldwin
Marlon E. Youngblood

Debtor(s)

BK. NO. 15-20855 GLT

MIDFIRST BANK, its successors and/or assigns
Movant

CHAPTER 13

v.

Lisa R. Baldwin
Marlon E. Youngblood

Respondent

and

Ronda J. Winnecour, Trustee

Additional Respondent

**MOTION OF MIDFIRST BANK, ITS SUCCESSORS AND/OR ASSIGNS
FOR RELIEF FROM THE AUTOMATIC STAY**

Movant, by its Attorney, KML Law Group, P.C., hereby requests a termination of the Automatic Stay and leave to foreclose on its mortgage on real property owned by Debtor(s).

1. Movant is MIDFIRST BANK, its successors and/or assigns.
2. Debtor(s), Lisa R. Baldwin and Marlon E. Youngblood, is/are the owner(s) of the premises located at 405 North Holland Avenue, Braddock, PA 15104, hereinafter known as the mortgaged premises.
3. Movant is the holder of a mortgage, original principal amount of \$49,475.00 on the mortgaged premises that was executed on December 31, 1996. Said mortgage was recorded on January 2, 1997 at Book 16302, Page 245. The mortgage was subsequently assigned to Movant by way of Assignment of Mortgage recorded on August 16, 2016 at Book 46820, Page 250 in Allegheny County.
4. Movant has instituted or wishes to institute foreclosure proceedings on the mortgage because of Debtor's failure to make the monthly payment required thereunder.
5. The payoff amount due on the mortgage is \$14,073.60.
6. Debtor(s) is/are currently delinquent in payments to the Chapter 13 Trustee in the amount of \$13,188.78.
7. The total amount of post-petition arrearage is \$3,128.80 A total of \$46,144.70 has come due to movant from the date of filing, and the Chapter 13 Trustee has disbursed \$46,144.70 to movant for post-petition payments.
8. The total amount of pre-petition arrearage is \$14,441.83.

9. The fair market value of the premises is \$26,928.00.

10. The Senior Lien Holders on the premises are none.

11. The Junior Lien Holders on the premises are none.

12. The foreclosure proceeding filed or to be instituted were stayed by the filing of the instant Chapter 13 Petition.

13. Debtor(s) has/have no or inconsequential equity in the premises.

14. Movant has cause to have the Automatic Stay terminated as to permit Movant to complete foreclosure on its mortgage.

15. This motion and the averments contained therein do not constitute a waiver by the Moving Party of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant respectfully requests that this Court enter an Order modifying the Automatic Stay under Section 362 with respect to the mortgaged premises as to permit Petitioner to foreclose on its mortgage and allow Movant or any other purchaser at Sheriff's Sale to take legal action for enforcement of its right to possession of said premises.

Date: October 12, 2020

/s/ Brian C. Nicholas, Esquire
Brian C. Nicholas, Esquire
bnicholas@kmlawgroup.com
Attorney I.D. No. 317240
KML Law Group, P.C.
701 Market Street, Suite 5000
Philadelphia, PA 19106
Phone: 412-430-3594
Attorney for Movant/Applicant